

# THE WEITZ LAW FIRM, P.A.

Bank of America Building  
18305 Biscayne Blvd., Suite 214  
Aventura, Florida 33160  
Main: 305-949-7777  
Fax: 305-704-3877

May 22, 2020

## VIA CM/ECF

Honorable Judge Lewis J. Liman  
United States District Court  
Southern District of New York  
500 Pearl Street - Courtroom 15C  
New York, New York 10007

**Re: Benedetto v. AINSPH, LLC d/b/a The Ainsworth, et al.**  
**Case 1:18-cv-07575-PAC**

Dear Judge Liman:

The undersigned represents the Plaintiff in the above-captioned matter.

Pursuant to Order [D.E. 21], dated April 23, 2020, if Defendant does not appear in this action by May 24, 2020, Plaintiff should move for default judgment or risk dismissal of the action for failure to prosecute, this having been extended from April 24, 2020, with regard to Order [D.E.19], dated March 27, 2020, Plaintiff advises the Court as follows:

The Plaintiff recently filed a Motion for Leave to File Amended Complaint. This second Defendant that Plaintiff seeks to add is an indispensable party to this matter, which may hopefully enable the resolution of this matter.

The undersigned, therefore, respectfully requests a stay to file for a Default Judgment against the Defendant, AINSPH, LLC, in this case, in order to allow time for AINSPH, LLC to respond to Plaintiff's motion to include the new Defendant in this suit, to allow for the objection, opposition and reply deadlines run their course and be completed. Moreover, to allow also for the COVID-19 lockdown to ease and the prospect of Defendant to make its appearance. Thank you for your attention to this matter.

The order requiring Plaintiff to file for default, *see* Dkt. No. 21, is vacated.

If Defendant does not object to Plaintiff's motion to amend by May 29, 2020, *see* Dkt. No. 23, Plaintiff shall file an amended complaint by June 1, 2020. A status conference is scheduled for July 22, 2020 at 9:30 a.m.

The Clerk of Court is respectfully directed to close Dkt. Nos. 23, 25.

SO ORDERED. 5/27/2020.

Sincerely,

By: /s/ B. Bradley Weitz

B. Bradley Weitz, Esq. (BW9365)  
THE WEITZ LAW FIRM, P.A.  
Attorney for Plaintiff  
Bank of America Building  
18305 Biscayne Blvd., Suite 214  
Aventura, Florida 33160  
Telephone: (305) 949-7777  
Facsimile: (305) 704-3877  
Email: bbw@weitzfirm.com



LEWIS J. LIMAN  
United States District Judge